

Message Text

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46

ACTION VO-03

INFO OCT-01 EA-07 ISO-00 SCA-01 INSE-00 /012 W

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R 131139Z NOV 73

FM AMEMBASSY VIENTIANE

TO SECSTATE WASHDC 6607

LIMITED OFFICIAL USE VIENTIANE 7713

E.O. 11652: N/A

TAGS: CVIS, LA

SUBJECT: VISAS: ADVISORY OPINIONS: OTHER:

APPLICATION OF SECTION 101(A)(27)(E) OF

THE I & N ACT

1. EMBASSY HAS MORE THAN DOZEN APPLICANTS FOR SPECIAL IMMIGRANT STATUS UNDER SECTION 101(A)(27)(E) OF I&N ACT RECOMMENDED BY USAID VIENTIANE. MOST ARE THIRD COUNTRY NATIONALS (MANY FILIPINOS) BROUGHT TO LAOS TO PROVIDE USG MUCH NEEDED TECHNICAL ASSISTANCE IN ITS AID PROGRAM TO LAOS.

2. WITH CHANGING POLITICAL SITUATION IN LAOS OUR PROGRAMS ALSO ARE CHANGING. FURTHERMORE, WE ARE MAKING INTENSIVE EFFORT TO REPLACE THIRD COUNTRY NATIONALS WITH SUITABLE LAO CITIZENS. AS A RESULT MANY TCNS ARE BEING TERMINATED. SOME HAVE BEEN WORKING FOR USG IN LAOS FOR MANY YEARS AND HAVE FEW REMAINING TIES IN THEIR COUNTRY OF ORIGIN. MANY ARE THEREFORE ANXIOUS TO IMMIGRATE TO U.S. TO SEEK EMPLOYMENT. WHILE TCN'S HAVE PERFORMED DUTIES WELL, FEW CAN BE SAID TO HAVE PERFORMED OVER AND BEYOND CALL OF DUTY OR WOULD BE ABLE MEET STRINGENT CRITERIA OF SECTION 101(A)(27)(E) OF ACT. MORE CASES CAN BE EXPECTED AND EMBASSY ALREADY FACING PROBLEM OF HOW SATISFACTORILY PROCESS APPLICATIONS SUBMITTED.

3. MEMBERS OF THIS MISSION GENERALLY BELIEVE THAT USG OWES SOMETHING TO THESE LOYAL EMPLOYEES BUT WE DO NOT

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KNOW WHETHER THIS SHOULD BE TRANSLATED INTO "SPECIAL

IMMIGRANT STATUS". EMBASSY IS THEREFORE SEEKING
DEPARTMENT'S ADVICE AS TO WHETHER EMBASSY SHOULD BE
LENIENT IN RECOMMENDING TCN'S FOR SPECIAL IMMIGRANT
STATUS IN ANTICIPATION OF FAVORABLE DEPARTMENT RESPONSE
OR RATHER INTERPRET STRICTLY CRITERIA IN SECTION
101(A)(27)(E).

4. AS MANY OF THESE EMPLOYEES SCHEDULED FOR TERMINATION
PRIOR END OF DECEMBER, EMBASSY WOULD APPRECIATE EARLY
REPLY TO PERMIT THEM SUFFICIENT TIME TO MAKE PLANS.
DEAN

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